



IN THE HIGH COURT OF KARNATAKA,

KALABURAGI BENCH

DATED THIS THE 4TH DAY OF DECEMBER, 2024

BEFORE

THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

MISCL. FIRST APPEAL NO.203196 OF 2023 (LAC)

BETWEEN:

1. THE EXECUTIVE ENGINEER
KNNL BLI DIVISION, AFZALPUR,
DIST: KALABURAGI
2. THE CHIEF ENGINEER
KNNL IPZ, KALABURAGI

...APPELLANTS

(BY SRI. A. M. NAGRAL, ADVOCATE)

AND:

1. SHARANMMA W/O BASWARAJ,
AGE: 41 YEARS, OCC: AGRICULTURE,
R/O: VILLAGE GOUR (B), TQ: AFZALPUR,
DIST: KALABURAGI
2. THE SPECIAL LAND ACQUISITION OFFICER
KNNL BNT, KALABURAGI-585101
3. THE DEPUTY COMMISSIONER
KALABURAGI-585101

...RESPONDENTS

THIS MFA IS FILED U/S 74(1) OF RIGHT TO FAIR
COMPENSATION AND TRANSPARENCY IN LAND ACQUISITION,
AND REHABILITATION AND RESETTLEMENT ACT, 2013
PRAYING TO, SET ASIDE THE JUDGMENT AND AWARD DATED:

Digitally signed
by RENUKA
Location: High
Court Of
Karnataka



03.03.2023 IN LAC NO. 78/2022 PASSED BY THE I ADDL.
DIST. AND SESSIONS JUDGE, KALABURAGI.

THIS APPEAL COMING ON FOR ORDERS , THIS DAY,
JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM)

The present appeal, filed under Section 74(1) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, challenges the judgment dated 03.03.2023 in LAC No.78/2022. However, the appeal is filed after a delay of 70 days beyond the statutory limitation period of 120 days prescribed under Section 74(1) of the Act. This Court, following the Division Bench ruling in MFA No.102543/2022 dated 23.09.2024, holds that the limitation period under the Act is mandatory and non-extendable. Relying on precedents, including ***In Union of***



India vs. Popular Construction Co.¹ and ***State of Kerala vs. V.R. Kalliyankutty²***, the appeal is dismissed as time-barred, without addressing the merits. Parties shall bear their respective costs.

In view of disposal of main appeal, pending applications, if any, stand rejected.

The Court fee paid, if any, shall be refunded in accordance with law.

**Sd/-
(SACHIN SHANKAR MAGADUM)
JUDGE**

Srt
List No.: 3 SI No.: 94
CT-SW

¹ 2001 (8) SCC 470

² 1999 (3) SCC 657